

REMARKS

Reconsideration and withdrawal of the objections and rejections of the application are respectfully requested in view of the remarks herewith, which place the application in condition for allowance or in better condition for appeal. Applicants acknowledge with appreciation the indication by the Examiner that claims 2-8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1-11 are now pending. Claim 1 is amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents. This Amendment cancels non-elected claims 12 to 21 without prejudice or the intention of creating estoppel. Applicants reserve the right to file a divisional application directed to this subject matter.

No new matter is added by this amendment.

It is submitted that these claims are patentably distinct from the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. The amendments and remarks herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112; but rather the amendments and remarks are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Support for the amended recitations in the claims is found throughout the specification and from the pending claims.

II. OBJECTIONS

Claim 1 was objected to for reciting a method step in an apparatus claim. The amendment to claim 1 renders the objection moot.

Consequently, reconsideration and withdrawal of the objection to claim 1 is respectfully requested.

III. 35 U.S.C. § 102 REJECTION

Claims 1 and 9-11 were rejected under 35 U.S.C. § 102(e), as allegedly anticipated by U.S. Patent No. 6,550,410 to Reimers (“Reimers”). The rejection is respectfully traversed.

The instant invention is directed to a flexible fluid containment vessel for the transportation of cargo comprising a fluid or fluidisable material, said vessel comprising, *inter alia*, means for securing first and second upright members together wherein the means for securing said first and second upright members is only affixed on either the inside or the outside of the structure. That is, the joint may be serviced or affixed, from only one side of the vessel preferably the outside. Such an invention is neither disclosed, taught, enabled nor suggested in the cited document.

More specifically, Reimers fails to disclose, *inter alia*, a means for securing first and second upright members only affixed on either the inside or the outside of the structure. It is the Examiner’s position that all of the elements set forth in the claims are disclosed by this reference. More particularly, the Examiner states that “[s]tring (220) is a means for securing the members together” and that “means for securing (i.e. string 220) is disposed only on the inside of the combination of fabric segments . . .” (*Office Action* at 3). However, as shown in Figures 6A and 6B, string (220) runs through holes in the section fabric on the inside and outside of the joint 200 and therefore is disposed around (both inside and outside) ropes 500 and profile 600. That is, string (220) is not only on one side of the vessel but on both the inside and the outside of the vessel.

Accordingly, it is respectfully submitted that Reimers provides the need to secure the joint from both the inside and the outside of the vessel, corresponding to the freshwater side and the seawater side of the vessel, respectively.

In contrast, the present invention provides a means for securing which may be affixed and serviced, if necessary, from only one side of the FFCV. There is no teaching or suggestion in Reimers for affixing or servicing the FFCV from only one side.

Because Reimers does not disclose each and every element of claim 1 and its dependent claims, the 102 rejection based on Reimers cannot stand.

Consequently, reconsideration and withdrawal of the § 102 rejection is believed to be in order and such actions are respectfully requested.

CONCLUSION

By this Response, the application is in condition for allowance or in better condition for appeal. Favorable reconsideration of the application, withdrawal of the rejections and prompt issuance of a Notice of Allowance are, therefore, all earnestly solicited.

Respectfully submitted,
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